

WORKMAN NYDEGGER

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
(801) 533-9800
FAX (801) 328-1707

FACSIMILE COVER PAGE

To: Examiner James R. Brittain

Fax No.: (703) 872-9326

No. of Pages: 6 (incl. this page)

From: David B. Dellenbach

Date: August 14, 2003

Serial No.: 09/998,145 ✓

Our File No.: 14591.11

For: EYEGLOSS RETIANER WITH DUEL USE CONNECTORS

Filed: November 30, 2001

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PLEASE SEE ATTACHED RESPONSE TO OFFICE ACTION MAILED JULY 14, 2003.

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PATENT APPLICATION
Docket: 14591.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mackay et al.

Serial No.:

09/998,145

Filed:

November 30, 2001

For:

EYEGLOSS RETAINER WITH
DUAL USE CONNECTORS

Examiner:

James R. Brittain

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Sir:

I hereby certify that the following documents are being facsimile transmitted to the Patent and
Trademark Office on the date shown below:

- Transmittal Letter (2 pgs.) (In Duplicate)
- Response to Office Action (2 pgs.)
- Facsimile Cover Sheet (1 pg.)

Dated this 14th day of August, 2003.

Respectfully submitted,



JoAnn Cook, Assistant to
David B. Dellenbach
Attorney for Applicant
Registration No. 39,166

CUSTOMER NO. 022913

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**WORKMAN
NYDEGGER**

ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 533-9800
FACSIMILE (801) 328-1707

RICK D. NYDEGGER
BRENT R. LORIMER
THOMAS R. VUKSINICK
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PATENT APPLICATION
Docket No. 14591.11

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mackay et al.

Serial No.:

09/998,145

Filed:

November 30, 2001

For:

EYEGLASS RETAINER WITH
DUAL USE CONNECTORS

Examiner:

James R. Brittain

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL FOR RESPONSE TO OFFICE ACTION

Sir:

Transmitted herewith is a Response to the Office Action mailed July 14, 2003 for entry in the above-identified application.

☒ To render the transmitted Response timely filed enclosed are the following:

☒ A Certificate of Facsimile

☒ No fee is required.

August 14, 2003

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X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

X A duplicate copy of this transmittal letter is attached.

Dated this 14th day of August, 2003.

Respectfully submitted,



David B. Dellenbach
Attorney for Applicant
Registration No. 39,166

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GWSUBMITTED BY FACSIMILE:
(703) 872-9326PATENT APPLICATION
Docket No. 14591.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mackay et al.

Serial No. 09/998,145

Filed: November 30, 2001

For: EYEGLOSS RETAINER WITH
DUAL USE CONNECTORS

Examiner: James R. Brittain

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)RESPONSE TO OFFICE ACTIONMail Stop Responses
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 14, 2003, Applicants request reconsideration in light of the following remarks. First, the Applicants would like to clarify that claims 1-23 are pending since claims 21-23 were added in the last amendment. Second, the Applicants would like to point out that claim 21 is patentable over the cited references in part because the references do not disclose a kit comprising (i) an eyeglass, and (ii) an eyeglass retainer configured to selectively receive and retain a temple and an earpiece of the eyeglass.

Claims 22 and 23 are patentable in part because the cited references do not disclose a method for retaining an eyeglass that comprises (i) providing an eyeglass retainer configured to selectively retain a temple and an earpiece; and (ii) inserting the earpieces into respective connectors.

Wherefore, the Applicants respectfully request reconsideration in light of the remarks recited herein.

Should the Examiner have any questions or concerns which can be resolved by a discussion with the Applicant's attorney, the Examiner is invited to contact the Applicant's attorney by telephone at (801) 321-8826.

Dated this 14th day of August, 2003.

Respectfully submitted,



David B. Dellenbach
Attorney for Applicant
Registration No. 39,166

Official

WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

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